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The Comprehensive Medical Evaluation (CME) & Restoration to Service (RTS) Process



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Public Employee Retirement Administration Commission

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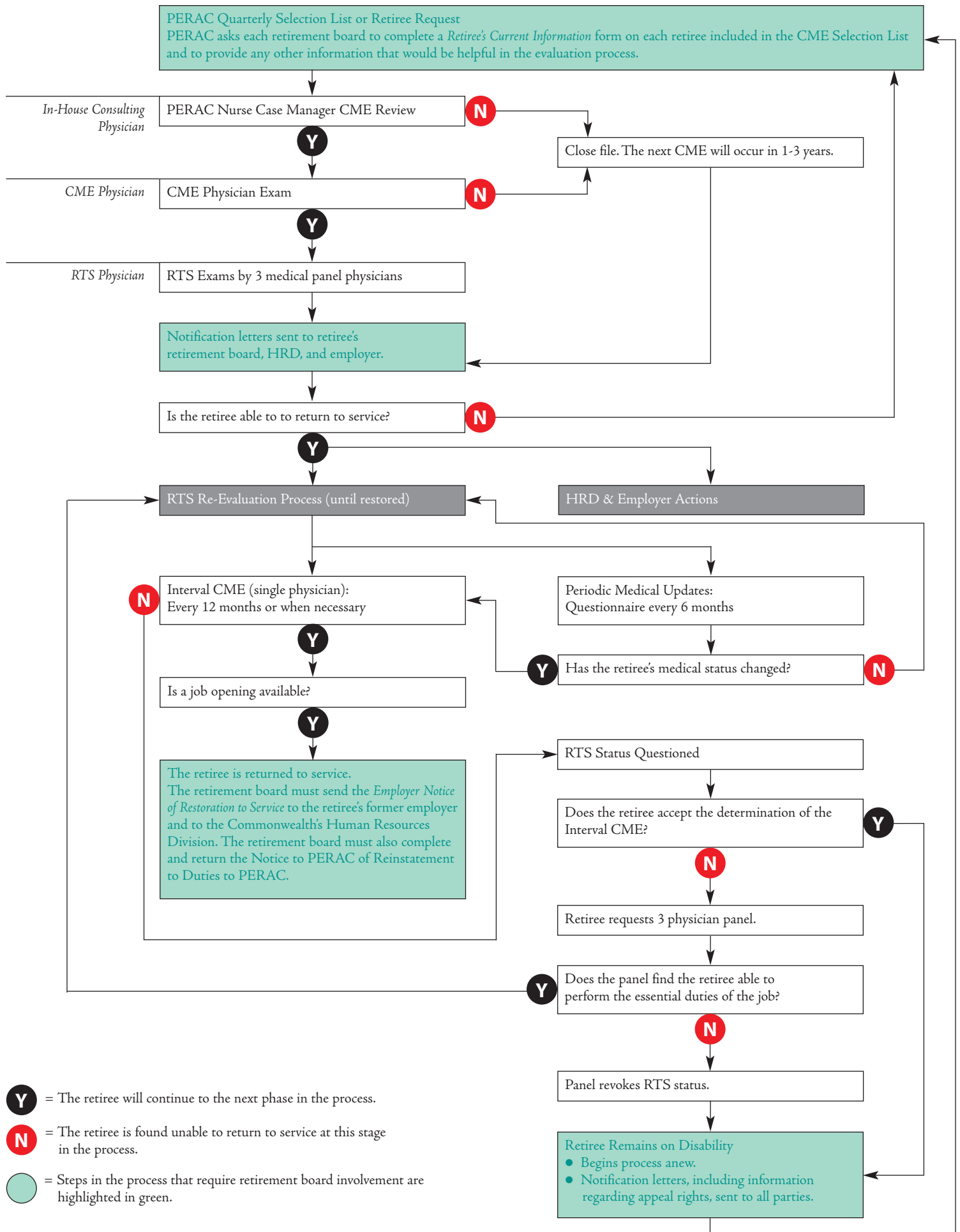
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The Comprehensive Medical Evaluation (CME) and Restoration to Service (RTS) Process (M.G.L. c. 32, Section 8)



The Comprehensive Medical Evaluation (CME) Process

Phase One

After a public employee retires for accidental or ordinary disability retirement, his or her case must be reviewed periodically by a PERAC Nurse Case Manager. PERAC may require a retiree to be evaluated once per year during the first two years after retirement and once every three years thereafter. A comprehensive medical evaluation will also be scheduled upon the written request of a retiree. At no time shall a member be evaluated more than once during any twelve month period.

Quarterly Selection List

PERAC Nurse Case Managers will produce, on a quarterly basis, a listing of those retirees who are due for a review based on their date of retirement and the date of their last review. The list will also include retirees who ask to be evaluated as well as those retirees whose *Annual Statement of Earned Income* shows substantial earnings. The list will not include those retirees whose health is already known to be catastrophically impaired.

PERAC will mail a copy (board specific) of the *CME Selection List* to each retirement board. A *Selection List Cover Memo* will be included with this list. A *Retiree's Current Information* form will be attached. Retirement boards are asked to complete a *Retiree's Current Information* form for each retiree on the *CME Selection List* and return it to PERAC. Retirement boards are also asked to provide any other information that would be helpful to the PERAC Nurse Case Manager who is assigned to conduct the initial review of a retiree's medical records.

The return of a completed *Retiree's Current Information* form to PERAC will activate the records review process.

Phase Two

Review of Retiree's Medical Records

The PERAC Nurse Case Manager will review the retiree's PERAC file and all information submitted by the retiree's retirement board to determine whether:

The retiree is *permanently* unable to perform the essential duties of the position from which he/she retired, or a similar position within the same department for which he/she is qualified because of the catastrophic nature of his/her medical condition. In this instance, PERAC will send the retiree a *Retiree with Catastrophic Condition* letter (with a copy to the retirement board). A *Completion of Retiree Evaluation* memo will also be sent to the retirement board.

or

The retiree is currently unable to perform the essential duties of the position from which he/she retired, or a similar position within the same department for which he/she is qualified. In this instance, PERAC will send a *Completion of Retiree Review* memo to the retirement board. The retiree will not be scheduled for a comprehensive medical evaluation, but he/she may be subject to future evaluations.

or

It would be appropriate for this case to proceed to Phase Three of the evaluation process.

Phase Three Request for Further Information

In Phase Three of the evaluation process, PERAC may:

Request a copy of the retiree's disability file from his/her retirement board, by sending the retirement board a *Request for Disability File* letter
and/or

Request that the retiree furnish PERAC with copies of all medical records from the preceding five year period or from the time of the retiree's disability retirement to the present, (whichever is longer), by sending the retiree a *Request for Medical Records* letter. (A copy will be sent to the retirement board). If the retiree has no additional medical records to make available, he/she is advised to so notify PERAC. PERAC may also ask a retiree to complete a *Retiree Activity Update* form by describing his/her physical activities during the last two-year period.

Please note that if a retiree does not submit additional medical records to PERAC, PERAC will schedule the retiree for a comprehensive medical evaluation with a physician.

Failure to Respond

If a retiree does not respond to the *Request for Medical Records* letter, PERAC will send the retiree a *CME: Records Refusal One* letter. It warns the retiree that this failure will result in termination of his/her retirement allowance. If the retiree fails to respond to that letter, it will be followed by a *CME: Records Refusal Two* letter. This second letter warns the retiree that PERAC is advising his/her retirement board to terminate his/her retirement allowance. PERAC will mail a *CME: Retirement Allowance Termination Notification* memo to the retiree's retirement board.

PERAC will advise the member and the retirement board if the evaluation process is completed at this level.

New Information Received

PERAC will review the information submitted in response to the requests it made of the retiree and the retirement board. Two outcomes are possible: Either the evaluation process can be terminated, or the case will proceed to Phase Four of the evaluation process.

PERAC may find that the evaluation process can be terminated because it determines that the retiree has a catastrophic medical condition or because the retiree is currently unable to perform the essential duties of his/her former job or a similar job.

If the retiree's medical condition is determined to be catastrophic, PERAC will send him/her a *Retiree with Catastrophic Condition* letter (with a copy to the retirement board). A *Completion of Retiree Evaluation* memo will also be sent to the retirement board.

New Information Received (cont.)

If the retiree is found to be currently unable to perform the essential duties of his/her former job or a similar job, PERAC will send a *Retiree Completed Evaluation* letter memo to the retiree. The retiree will not be scheduled for a comprehensive medical evaluation, but he/she may be subject to future evaluations. A *Completion of Retiree Evaluation* memo will also be sent to the retirement board.

Please note that at any future point, when the process comes to completion, the retiree and the retirement board will receive notification about the disposition of the case from PERAC through the *Retiree Completed Evaluation* letter and the *Completion of Retiree Evaluation* memo.

Phase Four Comprehensive Medical Evaluation Appointment

If it is determined that the retiree should be evaluated by a single physician, PERAC will contact the retiree's former employer (*Job Description Request*) with a request for the retiree's job description that must include the essential duties of the job.

PERAC will schedule a Comprehensive Medical Evaluation (CME) for a retiree so that all aspects of the retiree's health can be considered when making a decision as to his/her ability to perform the essential duties of the position from which he/she retired.

A referral for a CME is made to a single physician examiner, but the CME may also involve consultations with other physicians as well as medical tests such as: EKGs, pulmonary function tests, stress tests, functional capacity tests, psychiatric evaluation, etc. The evaluation process may extend over several days or weeks.

PERAC will send the physician a *Comprehensive Medical Evaluation: Physician's Packet*, all available medical information, and a copy of the most current job description for the position that the retiree held at the time of retirement.

PERAC will send the retiree a *CME Appointment Confirmation* letter, directions to the appointment location, and a *Comprehensive Medical Evaluation: Member's Packet*.

Upon completion of the comprehensive evaluation, the physician examiner will complete a narrative report. In the report, the physician examiner will comment on each of the consultations and tests included in the evaluation process. He/she will send the narrative report and test results to a PERAC Case Manager for review.

Comprehensive Medical Evaluation Appointments for Retirees Living Out of State

If a retiree lives outside of Massachusetts, PERAC will provide sufficient advance notice of any scheduled CME appointment so the retiree has adequate time in which to complete whatever travel arrangements are necessary. Retirees must pay for any travel expenses they incur.

If a PERAC Nurse Case Manager learns that additional tests need to be included in the CME process, the Nurse Case Manager will work with the CME facility to arrange for that testing to be conducted in a timely fashion before the retiree returns to his/her out of state residence.

If the outcome of a CME is that a retiree is found able to perform the essential duties of his/her former position, the retiree will be required to return to Massachusetts for restoration-to-service examinations. The PERAC Nurse Case Manager will make every effort to coordinate scheduling to minimize logistical complications and to provide the retiree with as much advance notice as possible.

Phase Five CME Report is Reviewed by PERAC Case Manager

The CME process has three possible outcomes:

A retiree may be found able to perform the essential duties of the position from which he/she retired or a similar position within the same department. In this instance, PERAC's Disability Unit will schedule a restoration to service examination to certify as to the retiree's ability to perform the essential duties of his/her former position or a similar position.

or

A retiree may be found unable to perform the essential duties of the position from which he/she retired or a similar position, with or without rehabilitation. In this instance, the retiree's benefits will continue and he/she will be re-evaluated by the PERAC Nurse Case Manager in the future.

or

A retiree may be found able to return to the essential duties of the position from which he/she retired or a similar job, with rehabilitation. In this instance, the physician who conducted the CME will recommend a rehabilitation program that focuses on returning the retiree to work. The plan must be reasonable and cost effective and approved by PERAC before being implemented.

The PERAC Nurse Case Manager will document the disposition of the CME process and will notify the retiree by sending him/her a *Retiree Completed Evaluation* letter. A *Completion of Retiree Evaluation* memo will be mailed to the retiree's retirement board.

The Restoration to Service (RTS) Process

Restoration to Service Examination Process

If it is determined, based upon a Comprehensive Medical Evaluation or a completed rehabilitation plan, that a retiree is able to perform the essential duties of the position from which he/she retired (or a similar position within the same department for which he/she is qualified), the retiree will enter the restoration to service phase of the disability process.

PERAC will compile the retiree's records (including the file assembled when the member retired, additional medical information submitted by the retiree, CME test results and reports, current job description, with essential duties, for the position the retiree held at time of retirement, etc.) and will contact the retiree to inform him/her that he/she will be scheduled for restoration-to-service examinations.

At least one of the physicians assigned to conduct a restoration to service examination will be a specialist in the medical field related to the condition for which the member retired.

The other physician(s) will specialize in fields whose relevancy is determined by PERAC.

If the retiree lives outside of Massachusetts, the PERAC Case Manager will make every effort to coordinate scheduling to minimize logistical complications and to provide the retiree with as much advance notice as possible.

Member Scheduled for Restoration to Service Examinations

PERAC's Disability Unit schedules/reschedules all of the medical appointments that are associated with the restoration to service process.

PERAC will give members at least 14 days notice of any scheduled appointment.

PERAC will mail restoration to service examination appointment letters to members via certified mail. Directions to the appointment will be stapled to the appointment letter.

PERAC will mail restoration to service examination appointment letters to the member's retirement board, employer, and the regional medical panel physicians via regular mail.

PERAC will provide all medical records to the physicians for the restoration to service process.

PERAC will provide the physicians with *Restoration to Service Packets* and *Restoration to Service Certificates*, along with instructions about how to complete the certificates and write a narrative report.

The member is responsible for bringing copies of all relevant x-rays, CT scans, and diagnostic testing results from his/her treating physicians and medical facilities to the restoration to service appointments. It is also the member's responsibility to return these materials to these physicians and facilities after the appointment has taken place.

The member is responsible for providing notice to his/her legal counsel and physician of the date(s), time(s), and location(s) of any scheduled restoration to service appointments.

Member Scheduled for Restoration to Service Examinations (cont.)

If the member cancels an appointment within 48 hours of a scheduled examination, or does not keep an appointment, he/she is responsible for reimbursing PERAC for the costs associated with that appointment before PERAC will schedule another appointment.

PERAC's Disability Unit will reschedule an appointment only in cases of compelling personal reasons, such as a death in the member's family or the hospitalization of the member. In these situations, the reimbursement requirement will be waived by PERAC upon the member's submission of appropriate documentation.

PERAC's Disability Unit cannot reschedule an appointment to facilitate an attorney's attendance.

Attendance at Restoration to Service Examinations

The member who is being examined and any individual that the member chooses to be present can attend as well as

- The member's physician and legal counsel,
- The member's employer/department head,
- The physician and legal counsel designated by the employer/department head

Other than the member, the individuals who are present are to observe and to respond to questions raised by the restoration to service physicians.

The physicians designated by the member and the member's employer may file written objections to the restoration to service proceeding, if they believe that it is warranted.

Restoration to Service Report to PERAC

The physicians will complete the *Restoration to Service Certificates* and return them and the narrative reports to PERAC within 60 days of completing their examinations.

Prior to the retiree being restored to service, *all of the physicians* on the panel must agree that the retiree is able to perform the essential duties of the position from which he/she retired or a similar job in the same department.

Documents Sent to the Retirement Board, Retiree, and Employer

Unable to perform essential duties

If it is the determination of the physicians that the retiree is unable to perform the essential duties of his/her former position or a similar position, PERAC will send copies of the completed certificates and narrative reports to the retirement board and to the retiree. A notice of right to appeal will also be sent to the retiree. PERAC will notify the retiree's former employer. PERAC does not furnish employers with copies of the restoration to service medical reports. Employers may request copies of these documents from retirement boards.

Able to perform essential duties

If it is the determination of the physicians that the retiree is able to perform the essential duties of his/her former position or a similar position, PERAC will send copies of the completed certificates and narrative reports to the retirement board and to the retiree. PERAC will also send a *Board Notice of Restoration to Service* to the retirement board along with the appropriate employer notice of restoration to service memo: either an *Employer Notice of Restoration to Service (More Than Two Years)* or an *Employer Notice of Restoration to Service (Within Two Years)** and a *Notice to PERAC of Reinstatement to Duties* memo.

**One Employer Notice is used when the retiree is returning to service within two years of the date of disability retirement. The other Employer Notice is used when more than two years have passed since the date of retirement.*

When a member is found able to perform the essential duties of his/her former job, PERAC will notify the member, his/her retirement board and employer, and the Commonwealth's Division of Human Resources. Some time may pass before a position becomes available and the member is actually restored to active service. In the interim, a PERAC Nurse Case Manager and a CME physician will monitor the member's medical status. Every six months, the member will be asked to complete and return a health questionnaire to PERAC. The member will also be re-evaluated by a CME physician upon any significant change in his/her medical condition and before returning to work. The goal is to assess the retiree's medical readiness to return to work and minimize the possibility of missing a retraining or academy opportunity.

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